

Appl. No. 09/297,774
Docket No. JA-179
Amdt. dated June 20, 2012
Reply to Office Action mailed on December 28, 2011
Customer No. 27752

REMARKS

Claim Status

Claims 14, 16-20 and 23-28 are pending in the present application. No additional claims fee is believed to be due.

Rejection Under 35 USC §103(a)

All claims stand rejected under 35 U.S.C. for reasons of record at 2-6 of the Office Action. Applicants traverse the rejections in view of the following remarks.

At the outset, Applicants respectfully remind the Office that independent claim 14 and 23 recite, *inter alia*, the features of a pair of side panels joined to the containment assembly and defining side panel areas, each side panel comprising a securement member, wherein each securement member extends outboard of its respective (corresponding) side panel. (Emphasis added). Applicants respectfully submit that the Office Action fails to identify where in the '206 reference or in the '234 reference one may find the features of securement members that extend outboard its respective (or corresponding) side panel as claimed in independent claims 14 and 23. It is therefore Applicants' position that the Office Action fails to establish a *prima facie* case of obviousness.

In addition, independent claim 14 recites the features of a nonwoven web that is joined to the outer surface of a plastic film such that the nonwoven web covers the entire outer surface of the plastic film and is disposed on said containment assembly area and said side panel areas. (Emphasis added). Applicants note that the Office Action attempts to use the Austin '206 reference as a primary reference, which is presumably modified by the teachings of the Buell '234 reference. Applicants respectfully submit that the rationale used by the Office Action is somewhat hard to follow. Applicants note that col. 9-10 and col 24 of Buell '234, which are relied upon by the Office Action, disclose the use of a "belt" in the front and/or back region. Applicants respectfully submit that the belt disclosed in Buell '234 does not appear to be covering the entire outer surface of the plastic film of the backsheet. Since the modification of the '206 reference according to the teachings of the '234 does not teach or suggest the claimed

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invention as a whole, it is Applicants' position that the Office Action fails to establish a *prima facie* case of obviousness.

Reconsideration and withdrawal of the rejections and allowance of claims 14, 16-20 and 23-28 are therefore respectfully requested.

Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied reference(s). In view of the foregoing, reconsideration of this application, and allowance of the pending claim(s) are respectfully requested.

Respectfully submitted,

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